

State Water Resources Control Board

Division of Drinking Water

September 10, 2018

System No. 1000486

Don Cave, Manager
Lion Raisins Packing Company
P.O. Box 1350
Selma, CA 93662

COMPLIANCE ORDER NO. 03-23-18R-027

1,2,3-TRICHLOROPROPANE (1,2,3-TCP) MAXIMUM CONTAMINANT LEVEL VIOLATION

Enclosed is Compliance Order No. 03-23-18R-027 (hereinafter "Order") issued to the Lion Raisins Packing Company (hereinafter "Water System") public water system. **Please note there are legally enforceable deadlines associated with this Order starting on page 4 of the Order.**

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Order. California Health and Safety Code (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with an order. At this time, the State Water Board has spent approximately 2 hours on enforcement activities associated with this violation.

The Lion Raisins Packing Company will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

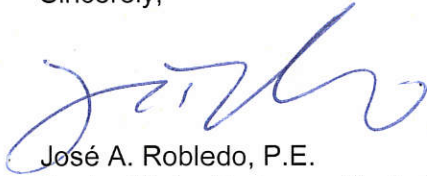
Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Caitlin Juarez of my staff at (559) 447-3395 or me at (559) 447-3300.

Sincerely,



José A. Robledo, P.E.
Senior Water Resource Control Engineer, Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Certified Mail No. 7018 0040 0000 3159 8251

JAR/CJ
Enclosures
cc: William Cooper, Lion Raisins Packing Company

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Lion Raisins Packing Company

Water System No: 1000486

Attention: Don Cave, Manager
P.O. Box 1350
Selma, CA 93662

Issued: September 10, 2018

COMPLIANCE ORDER FOR NONCOMPLIANCE
1,2,3-TCP MAXIMUM CONTAMINANT LEVEL VIOLATION
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64444
3rd Quarter of 2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116655 authorizes the State Water Resources Control Board (hereinafter "State Water Board") to issue a compliance order to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Water Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues Compliance Order No. 03-23-18R-027 (hereinafter "Order") pursuant to Section 116655 of the CHSC to the Lion Raisins Packing Company (hereinafter "Water System") for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64444 Maximum Contaminant Levels (hereinafter "MCL") – Organic Chemicals.

A copy of the applicable statutes and regulations are included in Appendix 1, which is attached hereto and incorporated by reference.

STATEMENT OF FACTS

The Lion Raisins Packing Company is classified as a nontransient noncommunity public water system with a population of 80 persons served through 3 service connections. The Water System operates under Domestic Water Supply Permit No. 03-23-11P-017 issued by the State Water Board on May 11, 2011. The Water System utilizes two groundwater wells as its source of domestic water: Well 01 – RAW and Well 03 - RAW.

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). Primary drinking water standards include maximum levels of contaminants and the monitoring and reporting requirements as specified in regulations adopted by the State Water Board that pertain to maximum contaminant levels.

The State Water Board received laboratory results for three 1,2,3-TCP samples collected on February 13th, May 8th, and August 14th, 2018 from Well 03. A summary of the Water System's 1,2,3-TCP monitoring results are presented in Table 1 below:

Table 1 – Well 03 1,2,3-TCP Sample Results (mg/L)

Compliance Period	Sample Date	Result (mg/L)
2018 1 st Quarter	02/13/2018	0.000013
2018 2 nd Quarter	05/08/2018	< 0.000000
2018 3 rd Quarter	08/14/2018	0.000009
Running Annual Average (RAA):		0.000006 mg/L

* If any one sample or average of samples would cause the four quarter average (annual average) to exceed the MCL, the water system is immediately in violation.

Notification to the public of the 1,2,3-TCP violation shall be performed by the Water System by September 30, 2018 in conformance with CCR, Title 22, Sections 64463.4(b) and (c) and 64465.

DETERMINATION

CCR, Title 22, Section 64444, Maximum Contaminant Levels – Organic Chemicals states that public water systems shall comply with the primary MCLs established in table 64444-A (see Appendix 1). The MCL for 1,2,3-TCP is 0.000005 mg/L or 0.005 µg/L.

CCR, Title 22, Section 64445.1(c)(5)(C) Repeat Monitoring and Compliance – Organic Chemicals states that if any sample would cause the running annual average to exceed the MCL, the water system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.

The 1,2,3-TCP RAA from Well 03 is 0.000006 mg/L. Therefore, the State Water Board has determined that the Water System has failed to comply with primary drinking water standards pursuant to CHSC, Section 116555(a)(1) and the 1,2,3-TCP MCL pursuant to CCR, Title 22, Section 64444 during the third quarter of 2018.

Furthermore, this Order will extend to the Water System's additional sources in the event that a compliance determination is made by the State Water Board that the Water System fails to comply with primary drinking water standards pursuant to CHSC, Section 116555(a)(1) and the 1,2,3-TCP MCL pursuant to CCR, Title 22, Section 64444.

DIRECTIVES

To ensure that the water supplied by the Lion Raisins Water Company is at all times safe, wholesome, healthful, and potable, the Water System is hereby directed to take the following actions:

1. On or before **September 30, 2021**, comply with CCR, Title 22, Section 64444.
2. Quarterly sampling for 1,2,3-TCP from Well 03 shall begin with the **fourth quarter of 2018** and shall continue every three months thereafter. The Water System shall ensure that the laboratory, which conducts the analysis, submits the analytical results electronically by State Water Board approved method no later than the 10th day following the month in which the analysis was completed.
3. Quarterly sampling for 1,2,3-TCP from Well 01 shall continue until four quarters of monitoring have been completed or a compliance determination is made by the State Water Board that the 1,2,3-TCP MCL is in violation.

- 1 4. By **September 30, 2018**, public notification to the customers of the Water System shall
2 be conducted and shall continue every three months until the State Water Board
3 determines that the 1,2,3-TCP contamination is resolved. Public Notification shall be
4 conducted in conformance with CCR, Title 22, Sections 64463.4 and 64465. A copy of
5 Sections 64464.1 and 64465 is included in Appendix 1. Appendix 2: Notification
6 Template shall be used to fulfill this directive, unless otherwise approved by the State
7 Water Board.
8
9 5. Complete Appendix 3: Certification of Completion of Notification Form. Submit it together
10 with a copy of the public notification conducted in compliance with the public notification
11 requirement listed above to the State Water Board within 10 days following each
12 notification.
13
14 6. Prepare for State Water Board approval, a Corrective Action Plan, identifying
15 improvements to the water system designed to correct the water quality problems
16 identified as an exceedance of the 1,2,3-TCP MCL and ensure that the Water System
17 delivers water to consumers that meets primary drinking water standards. The plan shall
18 include a time schedule for completion of each of the phases of the project such as
19 design, construction, and startup, and a date as of which the Water System will be in
20 compliance with the 1,2,3-TCP MCL, which date shall be no later than **September 30,**
21 **2021.**
22
23 7. On or before **October 30, 2018**, submit and present the Corrective Action Plan required
24 under Directive No. 5 above, to the State Water Board's office located at 265 West Bullard
25 Avenue, Suite 101 Fresno, CA 93704.
26
27 8. Perform the State Water Board approved Corrective Action Plan, and each and every
28 element of said plan, according to the time schedule set forth therein.

9. On or before **January 10, 2019**, and every three months thereafter, submit a report to the State Water Board in the form provided as Appendix 4 showing actions taken during the previous quarter (calendar three months) to comply with the Corrective Action Plan.

10. Not later than ten (10) days following **September 30, 2021**, demonstrate to the State Water Board that the water delivered by the Water System complies with the 1,2,3-TCP MCL.

11. Notify the State Water Board in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if the Water System anticipates it will not timely meet such performance deadline.

12. By **September 30, 2018**, complete and return to the State Water Board the "Notification of Receipt" form attached to this Order as Appendix 5. Completion of this form confirms that the Lion Raisins Packing Company has received this Order and understands that it contains legally enforceable directives with due dates.

All submittals, with exception of analytical results, required by this Order shall be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Order shall include the following information: Water System name and number, compliance order number and title of the document being submitted.

José A. Robledo, P.E.
State Water Resources Control Board
Division of Drinking Water, Fresno District
265 W. Bullard Ave, Suite 101
Fresno, CA 93704

Dwpdist23@waterboards.ca.gov

1 The State Water Board reserves the right to make modifications to this Order as it may deem
2 necessary to protect public health and safety. Such modifications may be issued as
3 amendments to this Order and shall be effective upon issuance.

4
5 Nothing in this Order relieves the Water System of its obligation to meet the requirements of the
6 California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270),
7 or any regulation, standard, permit or order issued or adopted thereunder.

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9 **PARTIES BOUND**

10 This Order shall apply to and be binding upon the Water System, its owners, shareholders,
11 officers, directors, agents, employees, contractors, successors, and assignees.

12
13 **SEVERABILITY**

14 The directives of this Order are severable, and the Water System shall comply with each and
15 every provision thereof notwithstanding the effectiveness of any provision.

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17 **FURTHER ENFORCEMENT ACTION**
18

19 The California SDWA authorizes the State Water Board to: issue a citation or order with
20 assessment of administrative penalties to a public water system for violation or continued
21 violation of the requirements of the California SDWA or any regulation, permit, standard, citation,
22 or order issued or adopted thereunder including, but not limited to, failure to correct a violation
23 identified in a citation or compliance order. The California SDWA also authorizes the State Water
24 Board to take action to suspend or revoke a permit that has been issued to a public water system
25 if the public water system has violated applicable law or regulations or has failed to comply with
26 an order of the State Water Board, and to petition the superior court to take various enforcement
27 measures against a public water system that has failed to comply with an order of the State
28 Water Board. The State Water Board does not waive any further enforcement action by issuance
29 of this Order.

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Carl L. Carlucci, P.E., Chief
Central California Section
State Water Resources Control Board
Division of Drinking Water

9-10-2018

Date

Appendices 5:

1. Applicable Statutes and Regulations
2. Notification Template
3. Certification of Completion of Public Notification
4. Quarterly Progress Report
5. Notification of Receipt



Certified Mail No. 7018 0040 0000 3159 8251